IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 1092 of 2007

CRIME NO.318/2006 OF MUNNAR POLICE STATION

PETITIONERS/ACCUSED.

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1. SATHEESH, S/O.KANTHAVEL,
   8 ROOMS LINE, CHOKKANAD ESTATE,
   SOUTH DIVISION KARA,MUNNAR POST,
   KDH VILLAGE, DEVIKULAM TALUK.

2. SAKTHIVEL, S/O.THAVASI,
   8 ROOMS LINE, CHOKKANAD ESTATE,
   SOUTH DIVISION KARA, MUNNAR POST,
   KDH VILLAGE, DEVIKULAM TALUK.

3. R.RAJAN, S/O.RAMASWAMY,
   8 ROOMS LINE, CHOKKANAD ESTATE,
   SOUTH DIVISION KARA, MUNNAR POST,
   KDH VILLAGE, DEVIKULAM TALUK.

4. THAMIZHARASAN, S/O.BALRAJ, 8 ROOMS LINE,
   CHOKKANAD ESTATE, SOUTH DIVISION KARA,
   MUNNAR POST, KDH VILLAGE,
   DEVIKULAM TALUK.

5. NARAYANA MOORTHY, S/O.MADANRAMAR,
   8 ROOMS LINE, CHOKKANAD ESTATE,
   SOUTH DIVISION KARA, MUNNAR POST,
   KDH VILLAGE, DEVIKULAM TALUK.

6. GURUNATHAN, S/O.PERIASWAMY
   8 ROOMS LINE,CHOKKANAD ESTATE,
   SOUTH DIVISION KARA, MUNNAR POST,
   KDH VILLAGE, DEVIKULAM TALUK.

7. KRISHNAKUMAR, S/O.SUBRAMANYAN,
   8 ROOMS LINE, CHOKKANAD ESTATE,
   SOUTH DIVISION KARA, MUNNAR POST,
   KDH VILLAGE, DEVIKULAM TALUK.

8. SHANMUGHAN @ SHANMUGHAIYA,
   S/O.MADASWAMY, 8 ROOMS LINE,
   CHOKKANAD ESTATE, SOUTH DIVISION KARA,
   MUNNAR POST, KDH VILLAGE,
   DEVIKULAM TALUK.

BY ADV. SRI.SUMAN CHAKRAVARTHY
SRI.K.A.JOSEPH RAJESH

RESPONDENTS: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, ALONG WITH B.A.1128/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application Nos. 1092/2007 & 1128/2007

Dated this 27th day of February, 2007

O R D E R

These are applications for anticipatory bail.

2. The petitioners in B.A.1092/2007 are accused Nos.6 to 13 and the petitioners in B.A.1128/2007 are accused Nos.4 and 5 in crime No.318/2006 of Munnar Police Station for offences punishable under Sections 143, 147, 148, 447, 323, 324, 294(b), 506(ii), 308 and 427 IPC read with Section 149 IPC.

3. The learned Public Prosecutor opposed the applications submitting inter alia that the petitioners are known gundas who were involved in several crimes registered by the very same police. There are several disputes including civil disputes between the defacto complainant and the petitioners. Even though I am not inclined to grant anticipatory bail to the petitioners, I am inclined to direct them to surrender before the Magistrate concerned and file applications for regular bail.

4. Accordingly, the petitioners are directed to surrender before the J.F.C.M-II, Devikulam and file

applications for regular bail within ten days from today and the same shall be allowed by the learned Magistrate on appropriate conditions, including one ensuring the police custody of the petitioners, in case the Investigating Officer applies for the same.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs